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Ser. No.: 10/088,830      Filing Date: August 26, 2002      Docket No. BTG0004-100 (141183US01)

Matter No.: 131877

Title: Wheat DP Proteins And Uses Thereof

Pages to Follow: 21

Sender's Name: Paul K. Legaard

Date: September 14, 2005

| RECIPIENT(S)       | COMPANY/FIRM | FAX            |
|--------------------|--------------|----------------|
| Cynthia E. Collins | USPTO        | (571) 273-8300 |

MESSAGE: OFFICIAL FAX

PLEASE DELIVER TO EXAMINER CYNTHIA E. COLLINS  
ATTACHED IS:

1. Transmittal Form (1 page)
2. Petition for Extension of Time (1 page)
3. Fee Transmittal
4. Amendment and Request for Reconsideration (18 pages)

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL 215.665.2000 or 800.523.2900 IMMEDIATELY.

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**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                            |
|------------------------|----------------------------|
| Application Number     | 10/088,830                 |
| Filing Date            | August 26, 2002            |
| First Named Inventor   | Crisanto Gutierrez-Armenta |
| Art Unit               | 1638                       |
| Examiner Name          | Cynthia E. Collins         |
| Attorney Docket Number | BTG0004-100 (141183US01)   |

**ENCLOSURES (check all that apply)**

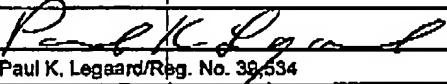
|   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment / Reply                     | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input checked="" type="checkbox"/> Extension of Time Request             | <input type="checkbox"/> Terminal Disclaimer  | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
| <input type="checkbox"/> Express Abandonment Request                      | <input type="checkbox"/> Request for Refund   |   |
| <input type="checkbox"/> Information Disclosure Statement                 | <input type="checkbox"/> CD. Number of CD(s) _____                                      |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> Landscape Table on CD  |   |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application   |   |   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |
| <b>Remarks</b>  |   |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |   |          |        |
|--------------|---|----------|--------|
| Firm         | Cozen O'Connor, P.C.  |          |        |
| Signature    |  |          |        |
| Printed Name | Paul K. Legaard   |          |        |
| Date         | September 14, 2005  | Reg. No. | 38,634 |

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |   |
|-----------------------|---|
| Signature             |  |
| Typed or printed name | Paul K. Legaard/Reg. No. 38,634   |
| Date                  | September 14, 2005  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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*Effective on 12/08/2004.*  
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## FEE TRANSMITTAL for FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ ) **510.00**

| Complete If Known    |                                   | RECEIVED |                    |
|----------------------|-----------------------------------|----------|--------------------|
| Application Number   | 10/088,830                        |          | CENTRAL FAX CENTER |
| Filing Date          | August 26, 2002                   |          | SEP 14 2005        |
| First Named Inventor | Crisanto Gutierrez-Armenta        |          |                    |
| Examiner Name        | Cynthia E. Collins                |          |                    |
| Art Unit             | 1638                              |          |                    |
| Attorney Docket No.  | BTG0004-100 (131877) (141183US01) |          |                    |

### METHOD OF PAYMENT (check all that apply)

- Check  Credit Card  Money Order  None  Other (please identify) : \_\_\_\_\_
- Deposit Account Deposit Account Number: 50-1275 Deposit Account Name: Cozen O'Connor, P.C.
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee
- Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments
- Under 37 CFR 1.16 and 1.17

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| <b>Application Type</b> | <b>FILING FEES</b>  |                 | <b>SEARCH FEES</b>  |                 | <b>EXAMINATION FEES</b> |                 |                       |
|-------------------------|---------------------|-----------------|---------------------|-----------------|-------------------------|-----------------|-----------------------|
|                         | <b>Small Entity</b> | <b>Fee (\$)</b> | <b>Small Entity</b> | <b>Fee (\$)</b> | <b>Small Entity</b>     | <b>Fee (\$)</b> | <b>Fees Paid (\$)</b> |
| Utility                 | 300                 | 150             | 500                 | 250             | 200                     | 100             | _____                 |
| Design                  | 200                 | 100             | 100                 | 50              | 130                     | 65              | _____                 |
| Plant                   | 200                 | 100             | 300                 | 150             | 160                     | 80              | _____                 |
| Reissue                 | 300                 | 150             | 500                 | 250             | 600                     | 300             | _____                 |
| Provisional             | 200                 | 100             | 0                   | 0               | 0                       | 0               | _____                 |

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 (including Reissues)

##### Small Entity

**Fee (\$)** **Fee (\$)**

50

25

Each independent claim over 30 (including Reissues)

200

100

Multiple dependent claims

360

180

Total Claims

Extra Claims

Fee(\$)

Fee Paid (\$)

##### Multiple Dependent Claims

Fee (\$)

Fee Paid (\$)

- =

x

=

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims

Extra Claims

Fee(\$)

Fee Paid (\$)

- =

x

=

HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <b>Total Sheets</b> | <b>Extra Sheets</b> | <b>Number of each additional 50 or fraction thereof</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> |
|---------------------|---------------------|---|-----------------|----------------------|
| _____               | - 100 = _____       | / 50 = _____ (round up to a whole number) x             | _____           | = _____              |

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

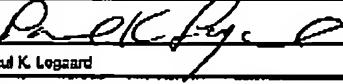
**Fees Paid (\$)**

\$510.00

Other (e.g., late filing surcharge) :

- Petition for Extension of Time Under 37 CFR 1.136(a) \$510.00

### SUBMITTED BY

|                   |   |                                      |
|-------------------|---|--------------------------------------|
| Signature         |  | Registration No.<br>(Attorney/Agent) |
| Paul K. Legard    |   | 38,534                               |
| Name (Print/Type) |   | Telephone                            |
|                   |   | 215-665-6914                         |
| Date              | September 14, 2005  |                                      |

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